

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

TIMOTHY RICE,	:	
Plaintiff,	:	
	:	
v.	:	CIVIL ACTION NO. 24-CV-1501
	:	
C/O KERNIZAN,	:	
Defendant.	:	

ORDER

AND NOW, this 17th day of January, 2025, upon consideration of Defendant’s Motion to Dismiss or, in the Alternative, Motion for Summary Judgment (ECF No. 20); Plaintiff Timothy Rice’s “Motion Brief Opposing Defendant Motion to Dismiss or Alternative Summary Judgment” (ECF No. 23); Rice’s “Motion for Schedule Conference” (ECF No. 31); and for the reasons stated in the Court’s Memorandum, it is **ORDERED** that:

1. The Clerk of Court is **DIRECTED** to amend the docket to reflect that the correct spelling of the Defendant’s last name is “Kernizan.”
2. The Motion to Dismiss (ECF No. 20) is **GRANTED** for the reasons stated in the Court’s accompanying Memorandum.
3. The Complaint is **DISMISSED WITHOUT PREJUDICE**.
4. Rice’s “Motion for Schedule Conference” (ECF No. 31) is **DENIED**.
5. The Clerk of Court is **DIRECTED** to **CLOSE** this case.

BY THE COURT:

/s/ Hon. Kelley B. Hodge

HODGE, KELLEY B., J.